

EFFECTIVE DATES: October 1, 1990. The correction to § 173.247(a)(12)(iii) is effective December 31, 1990.

FOR FURTHER INFORMATION CONTACT: Beth L. Romo, Standards Division, Office of Hazardous Materials Transportation, Research and Special Programs Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001, Telephone (202) 366-4488.

SUPPLEMENTARY INFORMATION: In its maintenance of the HMR, RSPA performs an annual review of the regulations to detect errors which may be causing confusion to users. Inaccuracies detected in title 49, Code of Federal Regulations (49 CFR), parts 100 through 199, revised as of October 1, 1989, include typographical errors, incorrect references to the other rules and regulations in the CFR, and misstatements of certain regulatory requirements. Additionally, in response to inquiries which RSPA received concerning the clarity of particular requirements specified in the HMR, changes are made which should reduce uncertainties.

Since these amendments do not impose new requirements, notice and public procedure are unnecessary. For the same reason, these amendments are effective without the customary 30-day delay following publication. This will allow the changes to appear in the next revision of 49 CFR.

RSPA has determined that this rule, as promulgated, is not a major rule under the terms of Executive Order 12291 or significant under DOT implementing procedures (44 FR 11034). A final regulatory evaluation and environmental assessment were not prepared, as these amendments are not substantive changes to the HMR.

Based on limited information available concerning the size and nature of entities likely to be affected by these amendments, I certify that these amendments will not, as promulgated, have a significant economic impact on a substantial number of small entities.

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12812, and it has been determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The following is a section-by-section summary of the amendments:

Section 107.315. In paragraph (c), the room number "2228" is removed and replaced with the room number "9112".

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 106, 107, 171, 172, 173, 175, 177, 178, and 179

[Docket No. HM-1891, Amdt. Nos. 106-7, 107-22, 171-109, 172-121, 173-223, 175-46, 177-77, 178-93, and 179-44]

Hazardous Materials Regulations; Editorial Corrections and Clarifications

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Final rule.

SUMMARY: This amendment corrects editorial errors and makes minor regulatory changes to the Hazardous Materials Regulations (HMR). This action is necessary to reduce misunderstandings of the HMR. The intended effect is to promote accuracy of the HMR. These amendments are minor regulatory changes which will not impose any new requirements on persons subject to the HMR.

Section 107.402. In paragraph (a), the parenthetical routing designation "(DHM-20)" is removed and replaced with the routing designation "(DHM-32)".

Part 172. In the table of sections to part 172, subpart F, the heading to § 172.525 is amended by removing the word "EMPTY" and inserting, in its place, the word "RESIDUE".

Section 172.101. In the Hazardous Materials Table, the following changes are made:

a. In the line entry "1,1-Difluoroethylene (R-1132A)", in column 1 the letter "A" is removed, and in column 3(a) the identification number "UN1959" is added.

b. In the line entry "Methyl formate", in column 5(a) the wording "allons" is removed and replaced with the section reference "173.118", the section reference "173.119" is added in column 5(b), and the maximum net quantities "1 quart" and "10 gallons" are added in column 6(a) and column 6(b) respectively.

Section 172.331. In the first sentence in paragraph (d), the wording "Each person who offers a motor carrier a hazardous material in a bulk packaging for transportation * * *" is removed and replaced with the wording "Each person who offers a bulk packaging containing a hazardous material for transportation * * *" to provide clarity and consistency with paragraph (e).

Section 172.510. In paragraph (a), the spelling for the EXPLOSIVES A placard is corrected.

Section 173.12. In paragraph (e), the ending of the last sentence is revised to read " * * *; and oleum (*fuming sulfuric acid*)" for clarity.

Section 173.217. In the section heading and in paragraph (a), the description "trichloroisocyanuric acid, dry" is added. This material is currently authorized by the § 172.101 Table to be packaged in accordance with this section.

Section 173.247. In paragraph (a)(12)(iii), effective December 31, 1990, the word "tank" was inadvertently omitted. The provision is corrected to read "the cargo tank is not made of aluminum."

Section 173.252. In paragraph (a)(5), the word "confirm" is replaced by the correct word "conform".

Section 175.10. In paragraph (a)(7), a period is added in the section reference to read "§ 135.91".

Section 175.630. In paragraph (a), two incorrect spellings of the word "poisons" are corrected.

Section 177.870. In paragraph (f), sixth line, the word "paranitraniline" is revised to read "paranitroaniline".

Throughout parts 106, 107, 171, 172, 173, 175, 177, 178, and 179, amendments are made to reflect a change in the zip code for the Department of Transportation, Nassif Building, from "20590" to "20590-0001".

List of Subjects

49 CFR Part 106

Administrative practice and procedure, Hazardous materials transportation.

49 CFR Part 107

Administrative practice and procedure, Hazardous materials transportation, Packaging and containers, Penalties, Reporting and recordkeeping requirements.

49 CFR Part 171

Exports, Hazardous materials transportation, Hazardous waste, Imports, Reporting and recordkeeping requirements.

49 CFR Part 172

Hazardous materials transportation, Hazardous waste, Labeling, Packaging and containers, Reporting and recordkeeping requirements.

49 CFR Part 173

Hazardous materials transportation, Packaging and containers, Radioactive materials, Reporting and recordkeeping requirements, Uranium.

49 CFR Part 175

Air carriers, Hazardous materials transportation, Radioactive materials, Reporting and recordkeeping requirements.

49 CFR Part 177

Hazardous materials transportation, Motor carriers, Radioactive materials, Reporting and recordkeeping requirements.

49 CFR Part 178

Hazardous materials transportation, Motor vehicle safety, Packaging and containers, Reporting and recordkeeping requirements.

49 CFR Part 179

Hazardous materials transportation, Railroad safety, Reporting and recordkeeping requirements.

PART 106—RULEMAKING PROCEDURES

1. The authority citation for part 106 is revised to read as follows:

Authority: Sec. 902(h)(1), Pub. L. 85-728, 72 Stat. 784 (49 U.S.C. 1472(h)(1)); sec. 3, Pub. L. 90-481, 82 Stat. 720 (49 U.S.C. 1672); secs. 104, 105, 106, Pub. L. 93-633, 88 Stat. 2157 (49 App.

U.S.C. 1803, 1804, 1806); sec. 21(a), Pub. L. 89-670 (49 U.S.C. 1653, 1657(e)); sec. 203, Pub. L. 96-128, 93 Stat. 1004 (49 U.S.C. 2002).

§§ 106.5 and 106.9 [Amended]

2. In part 106, the zip code "20590" is revised to read "20590-0001" in the following places: § 106.5(a); § 106.9.

PART 107—HAZARDOUS MATERIALS PROGRAM PROCEDURES

3. The authority citation for part 107 continues to read as follows:

Authority: 49 App. U.S.C. 1421(c); 49 App. U.S.C. 1802, 1806, 1808-1811; 49 CFR 1.45 and 1.53; Pub. L. 89-670 (49 App. U.S.C. 1653(d), 1655).

§ 107.315 [Amended]

4. In § 107.315(c), the wording "Room 2228" is revised to read "Room 9112".

§ 107.402 [Amended]

5. In § 107.402(a), the parenthetical wording "(DMT-20)" is revised to read "(DHM-32)".

§§ 107.103, 107.105, 107.111, 107.123, 107.203, 107.215, 107.315, 107.325, 107.335, 107.402, 107.502, Subpart B (Appendix A) [Amended]

6. In addition to the amendments set forth above, the zip code "20590" is revised to read "20590-0001" in the following places:

§ 107.103(b)(1)

§ 107.105(a)(1)

§ 107.111(b)(1)

§ 107.123(a)

§ 107.203(b)(1)

§ 107.215(b)(1)

§ 107.315(c)

§ 107.325(a)

§ 107.325(b)

§ 107.335

§ 107.402(a)

§ 107.502(c) (Redesignated as § 107.502(d) effective December 31, 1990)

Part 107, subpart B, appendix A (both places it appears)

PART 171—GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS

7. The authority citation for part 171 is revised to read as follows:

Authority: 49 App. U.S.C. 1802, 1803, 1804, 1805, 1808; 49 CFR part 1.

§§ 171.7, 171.16 and 171.20 [Amended]

8. In part 171, the zip code "20590" is revised to read "20590-0001" in the following places: § 171.7(b); § 171.16(b); § 171.16 Note; § 171.20(b).

**PART 172—HAZARDOUS MATERIALS
TABLES, HAZARDOUS MATERIALS
COMMUNICATIONS REQUIREMENTS
AND EMERGENCY RESPONSE
INFORMATION REQUIREMENTS**

9. The authority citation for part 172 is revised to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1806;
49 CFR part 1.

§ 172.101 [Amended]

10. In § 172.101, the Hazardous Materials Table is amended by revising, in appropriate alphabetical sequence, the entries listed below:

172.10—HAZARDOUS MATERIAL TABLE

+AW (1)	Hazardous materials description and proper shipping names	Hazard class	Identification number	Labels required (if not excepted)	Packaging		Maximum net quantity in one package		Water shipments		(c) Other requirements
					(a) Exceptions	(b) Specific requirements	(a) Passenger aircraft or railcar	(b) Cargo only aircraft	(a) Cargo vessel	(b) Passenger vessel	
	(2) [Revised] 1,1-Difluoroethylene	(3) Flammable gas.	(3A) UN1959	(4) Flammable gas.	(5) 173 306	(6) 173 304	(6) Forbidden	(6) 300 pounds	(7) 1, 2	(7) 5	(7) Slow away from living quarters.
	Methyl formate	Flammable liquid.	UN 1243	Flammable liquid.	173 116	173 119	1 quart	10 gallons	1, 3	4	

§ 172.331 [Amended]

11. In § 172.331(d), the beginning of the first sentence is amended by removing the wording "Each person who offers a motor carrier a hazardous material in a bulk packaging for transportation" and adding, in its place, the wording "Each person who offers a bulk packaging containing a hazardous material for transportation".

§ 172.407 [Amended]

12. In § 172.407, in paragraphs (d)(1) and (d)(3), the zip code "20590" is revised to read "20590-0001".

§ 172.510 [Amended]

13. In § 172.510(e), the term "EXPLOSIVE A" is revised to read "EXPLOSIVES A".

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

14. The authority citation for part 173 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1806, 1807, 1808; 49 CFR part 1, unless otherwise noted.

§ 173.12 [Amended]

15. In § 173.12(e), at the end of the sentence, the phrase "and sulfuric acid, fuming," is revised to read "and oleum (*fuming sulfuric acid*)."

§ 173.217 [Amended]

16. § 173.217, in the section heading, the description "trichloroisocyanuric acid, dry;" is added between the description "sodium dichloro-s-triazinetriene, dry;" and the description "trichloro-s-triazinetriene, dry;".

§ 173.217 [Amended]

16a. In § 173.217, in the introductory text of paragraph (a), the description "trichloroisocyanuric acid, dry;" is added between the description "sodium dichloro-s-triazinetriene, dry;" and the description "trichloro-s-triazinetriene, dry;".

§ 173.247 [Amended]

17. In § 173.247, in paragraph (a)(12)(iii), effective 12-31-90, the sentence "The cargo is not made of aluminum" is revised to read "The cargo tank is not made of aluminum."

§ 173.252 [Amended]

18. In § 173.252, in the fourth sentence of paragraph (a)(5), the word "confirm" is revised to read "conform".

§§ 173.22, 173.28, 173.34, 173.300a, 173.300b, and 173.471 [Amended]

19. In addition to the amendments set forth above, the zip code "20590" is revised to read "20590-0001" in the following places:

§ 173.22a(b)
§ 173.28(m)(3)(ii)
§ 173.34(e)(1)(iv)
§ 173.300a(b)(1)
§ 173.300a(e)
§ 173.300b(b)(1)
§ 173.471(e)

PART 175—CARRIAGE BY AIRCRAFT

20. The authority citations for part 175 is revised to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1807, 1808; 49 CFR part 1.

§ 175.10 [Amended]

21. In § 175.10(a)(7), the section reference "135.91" is revised to read "135.91".

§ 175.45 [Amended]

22. In § 175.45(c), the zip code "20590" is revised to read "20590-0001".

§ 175.630 [Amended]

23. In § 175.630(a), the word "poisons" and the word "poisons" are removed each place they appear and are replaced with the word "poisons".

PART 177—CARRIAGE BY PUBLIC HIGHWAY

24. The authority citation for part 177 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 49 CFR part 1.

§ 177.825 [Amended]

25. In § 177.825, in paragraph (b)(1)(iii)(A), effective 10-1-90, the zip code "20590" is revised to read "20590-0001".

§ 177.870 [Amended]

26. In § 177.870(f), the word "paranitraniline" is revised to read "paranitroaniline".

PART 178—SHIPPING CONTAINER SPECIFICATIONS

27. The authority citation for part 178 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1806, 1808, 49 CFR part 1, unless otherwise noted.

§§ 178.16-19, 178.17-6, 178.45-17, 178.65-14 [Amended]

28. In part 178, the zip code "20590" is revised to read "20590-0001" in the following places: § 178.16-19(c)(2); § 178.17-6(b)(2); § 178.45-17(e); § 178.65-14(d).

PART 179—SPECIFICATIONS FOR TANK CARS

29. The authority citation for part 179 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1806, 1808; 49 CFR part 1, unless otherwise noted.

§ 179.105-4 [Amended]

30. In § 179.105-4(c), the zip code "20590" is revised to read "20590-0001".

Issued in Washington, DC, on September 25, 1990, under the authority delegated in 49 CFR part 1.

Travis P. Dungan,
Administrator, Research and Special
Programs Administration.

[FR Doc. 90-23109 Filed 9-28-90; 8:45 am]

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Proposed Rules

Federal Register

Vol. 55, No. 190

Monday, October 1, 1990

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

7 CFR Parts 1930 and 1944

RIN 0575-AA80

Farm Labor Housing Loan and Grant Program, Loan Agreement and Income Eligibility for Domestic Farm Laborers

AGENCY: Farmers Home Administration, USDA.

ACTION: Proposed rule.

SUMMARY: The Farmers Home Administration (FmHA) proposes to amend its Farm Labor Housing Loan and Grant Regulations. The intended effect is to make changes to the basic rules of the Labor Housing Regulations affecting potential applicants and the FmHA field staff concerning unauthorized rents, income eligibility, occupancy of labor housing, and delegation of authority. These revisions are proposed because of Agency agreements with the Inspector General and are determined to be in the best interest of farm labor tenants and the government.

DATES: Comments must be received on or before November 30, 1990.

ADDRESSES: Submit written comments in duplicate to the office of the Chief, Directives and Forms Management Branch, Farmers Home Administration Room 8348, South Agriculture Building, Washington, DC 20250. All comments made pursuant to this notice will be available for public inspection at the above address. The collection of information requirements contained in this rule have been submitted to OMB for review under section 3504(h) of the Paperwork Reduction Act of 1980. Submit comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, attention: Desk Officer for the Farmers Home Administration, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Tom Sanders, Senior Loan Officer,

Special Authorities Branch, Multi-family Housing Processing Division, FmHA, USDA, Washington, DC 20250, Telephone (202) 382-1806 (This is not a toll-free number).

SUPPLEMENTARY INFORMATION:

Classification

This action has been reviewed under USDA procedures established in Departmental Regulation 1512-1 which implements Executive Order 12291, and has been determined "Non major." It will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, State or local governments, agencies, or geographic regions, or significant adverse effects on competition, employment investment, productivity, innovation, or on the ability to United States based enterprises to compete with foreign based enterprises in domestic or export markets.

Environmental Impact Statement

This document has been reviewed in accordance with 7 CFR part 1940, subpart C, "Environmental Program." It is the determination of FmHA that this action does not constitute a major Federal action significantly affecting the quality of the human environment and, in accordance with the National Environmental Policy Act of 1969, Public Law 91-190, an environmental impact statement is not required.

This program/activity is listed in the Catalog of Federal Domestic Assistance under numbers 10.405, Farm Labor Housing Loans and Grants, and 10.427, Rural Rental Assistance Payments (Rental Assistance), and are subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials (7 CFR part 3015, subpart V, 48 FR 29112, June 24, 1983).

The Administrator has determined that the proposed action will not have a significant economic impact on a substantial number of small entities because it contains normal business recordkeeping requirements and minimal essential reporting requirements. The proposed action will effect new borrowers for non-rental labor housing, unauthorized rents, and above-moderate income tenant occupancy.

General Information

The Labor Housing program provides housing financing for the exclusive use of domestic farm labor through the use of loans, grants and rental assistance to farmers, family farm partnership, family farm corporation, association of farmers, public bodies, and public or private nonprofit organizations. However, the use of grant funds is restricted to public bodies and public or private nonprofit organizations.

The Labor Housing program serves two borrower groups. The first group, farm owners, use the Labor Housing loan program as an adjunct to their farming operations; such loans are referred to as "on-farm" loans. The second group, public bodies and nonprofit organizations, use the loan grant, and rental assistance programs to provide affordable rental housing for farm laborers serving the local agricultural market area; such housing is referred to as "off-farm".

The owners of Labor Housing may or may not charge rent to the farmworker based on the purpose for which the original assistance was provided. If the original assistance is "on-farm", then housing for the farmworker may be on a non-rental basis. If the original assistance is "off-farm", then housing for the farmworker is on an affordable rent basis, in accordance with statutes.

The Officer of Inspector General made several recommendations pertaining to loan and grant administration and borrower servicing procedures. This proposed rule change addresses the necessary loan and Grant Making and Borrower Servicing rules.

The Inspector General recommended that the Agency:

1. Ensure the proposed rule contains sufficient provisions addressing (1) the use of loan agreements when rental income is to be collected by LH [Labor Housing] borrowers, (2) required servicing of cases where unauthorized rent was collected by LH borrowers, and (3) whether unauthorized rent collections should be collected and applied to LH loan accounts.
2. Establish procedures to (1) require that above-moderate-income LH tenants pay rental rates based on their ability to pay or comparable market rental rates, or (2) prohibit temporary LH occupancy by above-moderate-income households.